IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

EMPLOYERS INSURANCE COMPANY OF WAUSAU,)
Plaintiff,) }
v.) Civil Action No. 3:06cv0611
MEDLINE INDUSTRIES, INC., AND CREATIVE BEDDING TECHNOLOGIES, INC.,) Judge Thomas A. Wiseman, Jr.
Defendants.)

ORDER AND FINAL JUDGMENT

Before the Court is the Joint Motion for Summary Judgment (Doc. No. 123) filed by Defendants Medline Industries, Inc. and Creative Bedding Technologies, Inc. For the reasons explained in the accompanying Memorandum Opinion, that motion is hereby **GRANTED** and this matter **DISMISSED**.

Plaintiff's Motion for Leave to File Third Amended Complaint (Doc. No. 141) is **DENIED** as moot. Judgment is hereby entered in favor of the Defendants.

It is so **ORDERED**.

This is a final judgment for purposes of Fed. R. Civ. P. 58.

Thomas A. Wiseman, Jr. Senior U.S. District Judge